IN THE HIGH COURT OF JUDICATURE AT PATNA
CR.MISC. NO.40008 OF 2008
RAM CHANDRA JHA, SON OF LATE YADU NATH JHA, RESIDENT OF VILLAGE BASAWANPATTI, POLICE STATION KARZAIN

VERSUS

1. STATE OF BIHAR
2. THE ADDITIONAL DIRECRTOR GENERAL OF POLICE (VIGILANCE) BIHAR PATNA

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2 11.12.2008 Heard the parties.

In this case, a supplementary affidavit has already been filed bringing on record a copy of the order of anticipatory bail allowed in favour of co-accused Sunil Kumar Choudhary by order dated 28.11.2008 in Criminal Misc. No. 40127 of 2008.

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Learned Counsel for the petitioner submits that the primary allegation in the FIR is to the effect that there was wide scale irregularities in evaluating the answer sheets of the examinee and this petitioner who was the Assistant assisted during the evaluation process. He further submits that so far the irregularities are concerned, he is not connected, he has only assisted while bringing the boxes etc. It is further submitted that departmental proceedings against some of the co-accused were initiated but no departmental proceedings has been initiated against this petitioner and as such this petitioner also deserves bail.

Learned Special P.P., appearing on behalf of the

Vigilance opposed the prayer for bail and submits that on account of deep routed malpractices committed by the accused persons in evaluation of the answer sheets in conspiracy with each other and as such the petitioner is not entitled to the privilege of bail. It is further submitted that the co-accused Navin Chandra Jha who was also the Assistant against whom departmental proceedings was initiated and his application for grant of bail was rejected. He further submits that this petitioner is very influential and as a matter of fact he managed to see that no departmental proceedings be initiated against him.

Considering the facts and circumstances of the case, in the event of arrest/surrender before the Court below within a period of four weeks, the petitioner Ram Chandra Jha is directed to be released on bail in Vigilance Police Station Case No. 33 of 2008 (Special case No. 24 of 2008) on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Vigilance 1, Patna.

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**Anand** **( Shailesh Kumar Sinha, J.)**